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C O N F I D E N T I A L SECTION 01 OF 04 KUALA LUMPUR 000023

SIPDIS

FOR EAP/MTS AND INR

E.O. 12958: DECL: 01/12/2019

TAGS: [PREL](#) [KISL](#) [KPAL](#) [UNSC](#) [UNGA](#) [IS](#) [MY](#)

SUBJECT: GAZA: PARLIAMENT VOTES TO CONDEMN ISRAEL, SEEKS  
WAR CRIMES TRIBUNAL

REF: A. KUALA LUMPUR 16 -- PM CONVOKES UNSC AMBASSADORS  
[1](#)B. KUALA LUMPUR 12 -- GAZA REACTION: PM WRITES UNSYG  
[1](#)C. 2008 KUALA LUMPUR 1118 -- MALAYSIANS CONDEMN U.S.

Classified By: Political Counselor Mark D. Clark for reasons 1.4 b and d.

#### Summary and Comment

[1](#)1. (SBU) In a special session of the Malaysian Parliament convened on January 12, Prime Minister Abdullah Badawi delivered a blistering condemnation of Israel, while also lambasting the United States for supporting Tel Aviv. After seven hours of speeches, Parliament unanimously endorsed a resolution, introduced by the Prime Minister, calling for urgent UN action and a war crimes tribunal. Political leaders in the ruling coalition and the opposition also directed heavy criticism towards the United States, but did not criticize Hamas. Speaking to the Embassy, senior trade officials described as inaccurate a Malaysian press report that Trade Minister Muhyiddin Yassin said that discussions on the U.S.-Malaysian Free Trade Agreement (FTA) are now on hold, but the local media continues to follow this story. Three Public Affairs outreach programs have been cancelled in the past week, probably due to our position on the situation in Gaza. Continued calls for a boycott of U.S. products so far have had no tangible impact on our commercial interests.

[1](#)2. (C) Comment: PM Abdullah's strident rhetoric in Parliament contrasted sharply with his measured tone and language used with UNSC ambassadors a few hours prior (Ref A), illustrating the perceived necessity for Malaysian politicians to speak out publicly against Israel and the U.S., even if they voice more tempered views in private. One opposition leader told us he "had no choice" but to voice harsh comments about the U.S. given Malaysian public sentiment. The fact that Malaysia is in the midst of two elections cycles (with a high profile by-election on January 17, and elections in the ruling UMNO party in late March) creates more incentive for grandstanding on Gaza, though Palestinian issues attract widespread focus regardless. Under these conditions, it is not surprising that the FTA talks have been dragged into this public debate, but it is not clear that there will be any real immediate effect on the negotiations. End Summary and Comment.

The Setting

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¶3. (SBU) PM Abdullah convened a special session of Parliament on January 12 in order to pass a resolution condemning Israel's actions in Gaza and calling for urgent UN measures as well as a war crimes tribunal. Senior POL FSN attended the special session, which lasted seven hours and also drew heavy representation from the dip corps. The PM began with a 10-point resolution (below) that criticized Israel and, to a lesser degree, the UN, and followed up with remarks that were directly critical of the United States. The resolution passed unanimously, and included a decision to transmit the document in particular to the U.S. Congress, the British Parliament, and the European Parliament. The session was widely covered by the national media.

Accusations of War Crimes, Criticism of the U.S.  
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¶4. (C) The PM told the Parliament that the Israeli attack into Gaza "violates international law, human rights law, international human rights law, the UN's charter, and is a war crime as it violates the Fourth Geneva Convention 1949 on the protection of civilians in times of war." He called on the UN to immediately set up a war crimes tribunal to investigate and prosecute Israelis suspected of committing war crimes against Palestinians. Deputy Prime Minister Najib Razak called Israel "a serial terrorist." Opposition Democratic Action Party (DAP) Secretary-General Lim Guan Eng told the Parliament that the U.S. was equally culpable and should also appear before the International Court of Justice,

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stating "the U.S.'s refusal (to ask Israel to leave Gaza) and stubborn act by continuing to supply weapons to the Israeli regime to kill women and children make the U.S. government under the leadership of George Bush equally at fault". Afterwards Lim told POL FSN he "had no choice" but to "reflect the anger of the Malaysian street" in his speech, stating he didn't really think the U.S. leadership should appear before a war crimes tribunal.

¶5. (SBU) The PM also cast blame on the U.S. for Israel's actions in Gaza, citing vetoes in the UN Security Council; lack of recognition of Hamas as the democratically elected leadership in Gaza; and U.S. statements on Hamas rockets as the cause of Israel's incursion. The PM noted "the United States has used its veto power 28 times in 36 years since 1973 to prevent the UN Security Council from taking action," a quote which was widely repeated among the politicians and the state-run media. DPM Najib also chastised the U.S., stating "there is no longer rule of law because people who created the slogan violated it." Abdullah urged President-elect Barack Obama "to bring about real change to the situation", and opposition leader Anwar Ibrahim hoped that President-elect Obama "will be fair to the Palestinians as it is clear that he vehemently supports Israel." Anwar also called upon the U.S. to review its military and financial aid to Israel.

The PM Takes a Swipe at the UN Security Council  
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¶6. (SBU) The PM directed much of his frustration at the UN Security Council. After having called for an emergency session of the UN General Assembly (Ref B), the PM said his efforts were undermined when the UNSC called an emergency session, forcing a delay of any emergency session of UNGA. Expressing frustration with the UNSC's lack of tangible results, Abdullah stated "Malaysia is disappointed with the inability of the international community to stop the invasion, and, in particular, of failure of the United Nations Security Council in doing so."

## Questions on FTA

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¶7. (C) The Malaysian press reported that Trade Minister Muhyiddin Yassin stated on January 12 that FTA negotiations with the U.S. were suspended until further guidance from the Cabinet. Muhyiddin was also quoted as noting that while "numerous groups felt that there was no need to pursue the FTA further," there was no need to move forward given the U.S. support for Israel and the current situation in Gaza. However, MITI Secretary General Rahman told EconCouns January 13 that the press had misquoted Minister Muhyiddin. According to Rahman, Muhyiddin only noted that FTA meetings were on hold at present due to the transition in the U.S. Administration. He added that Muhyiddin did not connect this to events in Gaza. (Comment: Despite MITI denials to the Embassy, the Malaysian press has not given up on the FTA story. MITI will have to publicly correct the press if it wants to counter this story. End Comment.)

## Some Embassy Outreach Programs Cancelled

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¶8. (SBU) Three outreach programs by the Embassy's Public Affairs section, scheduled to be held in the conservative Malay/Muslim state of Kelantan, were cancelled by local co-sponsors this week: two with state universities and one with a state library that houses a U.S. Lincoln Corner facility. Although no specific reasons were given, we believe that the cancellations are due to the situation in Gaza.

## "Boycott" -- No Impact Thus Far

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¶9. (SBU) Continued calls for a boycott of U.S. products (reftel B) have gone largely unheeded. After an initial

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press by various politicians and NGO's, the PM and DPM both downplayed the boycott calls. The DPM noted that the boycott of products was up to individuals and suggested such actions could harm Malaysia's interests. We have had no reports from the U.S. business community of negative impact on our commercial interests since the initial calls for a boycott began last week.

## Text of Resolution

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¶10. (SBU) Below is the text of Prime Minister Abdullah's resolution, which passed without modification:

MONDAY, 12 JANUARY 2009, AT 2.30 PM

No. 1

ORDERS OF THE DAY AND MOTIONS

¶1. Prime Minister to move:

THAT, Israel had launched military attacks called Operation Cast Lead, on 27 December 2008 on the Palestinian Territory of Gaza comprising of air bombardments followed by a military ground offensive on 3 January 2009;

THAT, the Israeli attacks on the Palestinian Territory of Gaza is an act which violates international law, Human Rights law, international humanitarian law, Charter of the United Nations and a war crime in breach of the Fourth Geneva Convention 1949 Protection of Civilian Persons in Time of War;

THAT, the Malaysian people holds firm to the stance that there is no strong justification for the disproportionate, indiscriminate and excessive attacks on the Palestinian

Territory of Gaza and thus rejects the collective punishment imposed on the Palestinian people in Gaza;  
and ORDER PAPER DR 12/1/2009/2

THAT, the Malaysian people are deeply dismayed and regret the inability of the international community, particularly the United Nations Security Council, to immediately stop the aggression of the state of Israel on the Palestinian Territory of Gaza.

THUS, this House resolves to:

(1) Condemn strongly the Israeli military attacks on the Palestinian Territory of Gaza claiming the lives of Palestinian civilians, including women, children, infants and the elderly, and urges the full withdrawal of Israel from the Palestinian Territory of Gaza;

(2) Urge the United Nations Security Council to compel Israel to immediately cease its military attacks on the Palestinian Territory of Gaza through a ceasefire and to decide to deploy a United Nations peacekeeping force to enforce the ceasefire;

(3) Urge the United Nations General Assembly to convene an Emergency Special Session of the United Nations General Assembly ) &Uniting For Peace8 - under Resolution 377A(V) if the United Nations Security Council fails to implement its decisions as adopted on 8 January 2009;

(4) Urge the parties involved to continue efforts towards the peace process as well as implement and adhere to the relevant resolutions adopted by the United Nations on the issue of Palestine and the Arab-Israeli conflict;

(5) Decide for Malaysia to work with the member states of the Organization of Islamic Conference, Non-Aligned Movement, Arab League and other like-minded states to uphold the principles of international law and the Charter of the United Nations in addressing the conflict as currently developing in the Middle East;

(6) Express the solidarity of the Malaysian people towards the cause of the Palestinian people in establishing an independent and sovereign Palestinian state;

(7) Urge the Palestinian people to unite in safeguarding

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their inalienable rights and establishment of an independent and sovereign Palestinian state;

(8) Appeal to the international community to immediately extend humanitarian contributions to the people of the Palestinian Territory of Gaza;

(9) Urge the United Nations General Assembly to immediately establish an International Criminal Tribunal For Palestine to investigate and prosecute suspected Israeli war criminals involved in the brutal and aggressive acts on the Palestinian people; and

(10) Decide to transmit this resolution to all relevant Legislative Assemblies and Parliaments concerned especially the United States Congress, the British Parliament and the European Parliament.

(End Text)  
RAPSON